

TOWNSHIP OF UPPER BERN
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 227, 2007

AN ORDINANCE OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING AND EMPOWERING THE APPROPRIATE OFFICERS OF THIS TOWNSHIP TO EXECUTE ON BEHALF OF THIS TOWNSHIP AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT WITH THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA AND THIS TOWNSHIP PROVIDING FOR THE USE AND BENEFIT OF THE RESIDENTS, TAXPAYERS AND OTHERS OF THIS TOWNSHIP POLICE PROTECTION AND SERVICES RENDERED BY CENTRE TOWNSHIP AS THEREIN ENUMERATED

WHEREAS, it is the desire of the Township of Upper Bern, Berks County, Pennsylvania ("Upper Bern Township") and the Township of Centre, Berks County, Pennsylvania ("Centre Township") to have Centre Township provide police protection and services for the use and benefit of the residents and taxpayers of Upper Bern Township within the budgetary constraints of Upper Bern Township; and

WHEREAS, Upper Bern Township and Centre Township have determined a need for uniformity and continuity in the enforcement of laws and ordinances, within the boundaries of Upper Bern Township and the neighboring Centre Township.

NOW, THEREFORE, in consideration of the above recitals, the BOARD OF SUPERVISORS of the TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, enact and ordain, and it is hereby enacted and ordained, as follows:

Section 1. Upper Bern Township, for economic reasons, has agreed to enter into a written agreement with Centre Township whereby Centre Township would provide

police protection and service for the use and benefit of the residents and taxpayers of Upper Bern Township (the "Agreement").

Section 2. The Agreement terminates on December 31, 2001 and the intent is to renew the Agreement from year to year thereafter until the parties decide to do otherwise.

Section 3. The purpose and objectives of the Agreement is to provide police protection and service for the use and benefit of the residents and taxpayers of Upper Bern Township.

Section 4. The manner and extent of financing the Agreement is as follows:

- A. All costs to Centre Township to provide the police protection and services referred to in the Agreement shall be paid from the charges imposed by Centre Township upon Upper Bern Township pursuant to the terms and provisions of the Agreement; and
- B. All costs to Upper Bern Township to obtain the police protection and services referred to the Agreement shall be paid to Centre Township from the general funds of Upper Bern Township without the necessity of borrowing monies to pay for such police protection.

Section 5. The organizational structure necessary to implement the Agreement is as follows:

- A. Upper Bern Township shall delegate, transfer and assign to Centre Township the power and authority of Upper Bern Township to provide police protection and services within the boundaries of Upper Bern Township.

- B. Centre Township shall provide police protection and services for the use and benefit of the residents and taxpayers of Upper Bern Township within the boundaries of Upper Bern Township.
- C. The police officers of Centre Township, in providing police protection and services for the use and benefit of the residents and taxpayers of Upper Bern Township, within the boundaries of Upper Bern Township, shall be under the exclusive supervision and control of Centre Township, acting through its Chief of Police. In keeping with sound administrative and governmental practices, no employee or elected official of Upper Bern Township shall direct, give orders to, or in any way interfere with the Chief of Police of Centre Township, or his/her subordinates, in carrying out the terms and provisions of the Agreement.

Upper Bern Township shall appoint a representative who shall meet regularly with the Chief of Police of Centre Township for the purpose of communicating, on a regular basis, the concerns of the parties hereto relating to the performance or non-performance of the Agreement. In the event a disagreement should arise between the parties to the Agreement concerning the performance or non-performance of the terms thereof, said parties shall attempt to resolve any such difference through a meeting of, and discussion by, a committee comprised of representatives of Centre Township and Upper Bern Township.

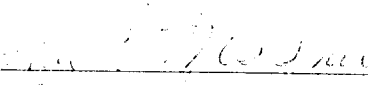
Section 6. The appropriate officers of Upper Bern Township are empowered and authorized to execute on behalf of Upper Bern Township the Agreement.

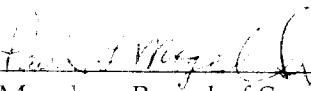
Section 7. This Ordinance shall be effective immediately or the earliest date allowed by law.

DULY ENACTED AND ORDAINED this 7th day of February, 2001 by the BOARD OF SUPERVISORS of the TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, duly assembled in a lawful public meeting.

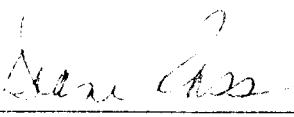
TOWNSHIP OF UPPER BERN,
BERKS COUNTY, PENNSYLVANIA

By: 
Chairperson, Board of Supervisors

By: 
Member, Board of Supervisors

By: 
Member, Board of Supervisors

Attest:


Secretary